

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

LUN ZHENG,

Plaintiff,

-against-

ALEJANDRO MAYORKAS; UR MENDOZA
JADDOU; ANDREA QUARANTILLO,

Defendants.

24-CV-8999 (LJL)

ORDER OF SERVICE

LEWIS J. LIMAN, United States District Judge:

Plaintiff, who is appearing *pro se*, brings this action seeking a writ of mandamus and declaratory relief. The complaint can also be understood as seeking relief under the Administrative Procedure Act. By order dated December 3, 2024, the Court granted Plaintiff's request to proceed *in forma pauperis* (IFP), that is, without prepayment of the filing fees.

DISCUSSION

Because Plaintiff has been granted permission to proceed IFP, he is entitled to assistance from the Court and the U.S. Marshals Service to effect service.¹ *Walker v. Schult*, 717 F.3d. 119, 123 n.6 (2d Cir. 2013); *see also* 28 U.S.C. § 1915(d) ("The officers of the court shall issue and serve all process . . . in [IFP] cases."); Fed. R. Civ. P. 4(c)(3) (the court must order the Marshals Service to serve if the plaintiff is authorized to proceed IFP)).

To allow Plaintiff to effect service on Defendants Alejandro Mayorkas, Ur Mendoza Jaddou, and Andrea Quarantillo through the U.S. Marshals Service, the Clerk of Court is

¹Although Rule 4(m) of the Federal Rules of Civil Procedure generally requires that a summons be served within 90 days of the date the complaint is filed, Plaintiff is proceeding IFP and could not have effected service until the Court reviewed the complaint and ordered that any summonses be issued. The Court therefore extends the time to serve until 90 days after the date any summonses issue.

instructed to fill out a U.S. Marshals Service Process Receipt and Return form (USM-285 form) for each defendant, and check the box on the USM-285 form labeled “Check for service on U.S.A.” The Clerk of Court is further instructed to issue summonses and deliver to the Marshals Service all the paperwork necessary for the Marshals Service to effect service upon these defendants.

If the complaint is not served within 90 days after the date summonses are issued, Plaintiff should request an extension of time for service. *See Meilleur v. Strong*, 682 F.3d 56, 63 (2d Cir. 2012) (holding that it is the plaintiff’s responsibility to request an extension of time for service).

Plaintiff must notify the Court in writing if his address changes, and the Court may dismiss the action if Plaintiff fails to do so.

CONCLUSION

The Clerk of Court is instructed to (1) issue summonses for Alejandro Mayorkas, Ur Mendoza Jaddou, and Andrea Quarantillo; (2) complete the USM-285 forms with the addresses for Defendants, checking the box labeled “Check for service on U.S.A.”; and (3) deliver to the U.S. Marshals Service all documents necessary to effect service on Defendants.

The Clerk of Court is directed to mail an information package to Plaintiff.

SO ORDERED.

Dated: December 4, 2024
New York, New York



LEWIS J. LIMAN
United States District Judge

DEFENDANTS AND SERVICE ADDRESSES

1. Alejandro Mayorkas
Secretary of the Department of Homeland Security
U.S. Department of Homeland Security
2707 Martin Luther King Jr. Ave SE
Washington, DC 20528
2. Ur Mendoza Jaddou
Director of Citizenship and Immigration Services
U.S. Citizenship and Immigration Services
20 Massachusetts Avenue, NW
Washington, DC 20529
3. Andrea Quarantillo
N.Y. City Field Office
U.S. Citizenship and Immigration Services
Jacob K. Javits Federal Building
26 Federal Plaza, 3rd Floor
New York, NY 10278